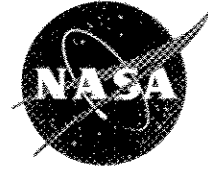


National Aeronautics and Space Administration

Headquarters

Washington, DC 20546-0001



November 16, 2009

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance by NASA Employees at the US Hypersonics Industry Team (HIT) Inaugural Public Event Luncheon on November 18, 2009

On November 18, 2009, the Hypersonics Industry Team (HIT), will host a luncheon at the Rayburn House Office Building, Room B-369, in Washington, DC., from 12:00 p.m.-4:00 p. m. This event is to introduce the Hypersonics Industry Team to the aerospace and defense community.

The keynote speaker will be Rep. Todd Akin. The luncheon will be widely attended by representatives from other Federal agencies, members of Congress and their staffers, aerospace and defense industries and associations, and NASM board members. Approximately 80 individuals have been invited to the luncheon. The estimated cost of the luncheon, which includes all food and beverages, is \$35.00 per person.

I find that this event meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g). I further determine that there is an Agency interest in having NASA personnel attend the event because it will further Agency programs or operations. The luncheon will allow NASA employees the opportunity to discuss space-related issues and NASA programs with other attendees. Accordingly, NASA employees whose duties do not substantially affect the event sponsors may accept an invitation for free attendance to the luncheon for themselves and their guests.

However, NASA employees whose duties may substantially affect event sponsors, such as by way of procurement duties, should seek an individual determination pursuant to 5 C.F.R. § 2635.204(g)(3)(i) regarding participation in this event from their local ethics counselor. Moreover, NASA employees who are in non-career positions in which Executive Order 13490, requires signing an ethics pledge may only attend if they reimburse the sponsors the cost of the dinner for themselves and any accompanying guest.

  
Adam F. Greenstone